

REMARKS

Reconsideration of the Office Action of January 7, 2004 is respectfully requested.

To summarize the Amendment made in the present response, the specification has been amended to correct some minor editorial informalities, while the claim amendments include amendments to preexisting claims 1-4, cancellation of original claims 5 and 6, the addition of new independent claim 7 and dependents 8 to 10 and the addition of new independent claim 11 and its dependents 12-20.

In the Office Action, claims 2-6 were rejected under 35 U.S.C. § 112, second paragraph. The accompanying claim amendments are respectfully submitted to render non-applicable the rejections set forth under 35 U.S.C. § 112, second paragraph.

Claims 1-6 were rejected in the Office Action based on Goto. It is respectfully submitted that claim 1 and its dependents are patentably distinguishable over Goto.

As best shown in Fig. 1, Goto features left and right wiper frames 2, 3 which are respectively secured to vehicle cowl box by way of left and right brackets 9. Each of wiper frames 2 and 3 include a projection (2a, 3a) which projections are received within respective open end cavities defined by tubular connector 5 and held in position by rivots 7. As shown by Fig. 2, tubular connection 5 has tapered end cut outs 14 which provide for plastic deformation upon rotation at the respective interfaces of projections 2a, 3a and the opposite ends of tubular connector 5.

A review of the illustrated embodiments of the present application shows wiper motor 13 attached to a vehicle body via a first fixing section 17a, and the first weak section 17b (17c, 17c) having low rupture strength being provided between the wiper motor 13 and the first fixing section 17a. Claim 1 of the present amendment includes a relationship along these lines.

Thus, the weak section that provides for movement of the motor inside the vehicle upon external force application features a weak section that is provided between the motor and a first fixing section which represents a section that is provided for attachment of the motor to the vehicle.

A review of the above described Goto reference reveals that it fails to have this relationship relative to its wiper frame 2 representing the vehicle attachment section for wiper motor 6. Accordingly, it is respectfully submitted that claim 1 and its dependent stands in condition for allowance.

A review of the dependent claim 2 reveals that it further differentiates the claimed invention over the prior art. Claim 2 includes, for example, an arrangement encompassing the illustrated embodiment of the present invention with support member (17) for supporting the wiper motor (13) having a first end (17d) and an opposing second end (17a) with the support member 17 being swingably attached to the vehicle body at the first end 17d and fixed to the vehicle body at the second end 17a, and with the first fixing section 17a being located at the second end 17a. Again, an arrangement like that exemplified by claim 2 is not disclosed or suggested in Goto with its projections 2a and 3a provided in pipe 5.

New independent claim 11 also describes a relationship between the wiper motor, motor supporting bracket and to its vehicle body fixing section that is lacking in Goto. Thus, claim 11 and its dependents 12 to 20 are respectfully submitted to also be in condition for allowance.

* * * *

Accordingly, Applicant respectfully submits that this Amendment and the above remarks obviate the outstanding objection and rejection in this case, thereby placing the application in condition for immediate allowance. Allowance of this application is earnestly solicited.

AMENDMENT UNDER 37 C.F.R. § 1.111

U.S. Appln. No. 10/028,713

If any fees under 37 C.F.R. §§ 1.16 or 1.17 are due in connection with this filing that are not accounted for in the papers filed herewith, please charge the fees to Deposit Account No. 02-4300; Order No. 032405.096.

If an extension of time under 37 C.F.R. § 1.136 is necessary that is not accounted for in the papers filed herewith, such an extension is requested. The extension fee should be charged to Deposit Account No. 02-4300; Order No. 032405.096.

Respectfully submitted,
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